

Notice of Allowability

Application No.

09/805,631

Examiner

Jennifer Liversedge

Applicant(s)

MASON, ELAINE SCOTT

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/12/2006.
2. ☒ The allowed claim(s) is/are 1-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/805,631 filed on September 12, 2006.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Ditthavong on December 5, 2006.

Claim 36 recites the limitation "a mechanism for initiating payment of the modified total..." in line 7. There is insufficient antecedent basis for this limitation in the claim. Examiner makes the following change in order to correct the 35 USC § 112 issue by rewriting the section as -- a mechanism for initiating payment of a modified total --.

Allowable Subject Matter

Claims 1-37 are allowed. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

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The following is an examiner's statement of reasons for allowance: the prior art fails to teach or suggest the limitations of the independent claims.

Independent claim 1 discloses a method for on-line billing in which customer invoice information is retrieved, the invoice amount is displayed on a web browser, an input is received to initiate payment, a determination is made as to whether the invoice amount is a zero or credit balance, and the payment is terminated and a disallow message sent based on the determining step. Dependent claims 2-7 are allowable as they follow from the allowable independent claim 1.

Independent claim 8 discloses a server apparatus for on-line billing in which a communication interface is configured to retrieve customer invoice information is retrieved, a processor coupled to the communication interface configured to display invoice information on a web browser, an input is received to initiate payment, a determination is made as to whether the invoice amount is a zero or credit balance, and the payment is terminated and a disallow message sent based on the determining step. Dependent claims 9-14 are allowable as they follow from the allowable independent claim 8.

Independent claim 15 discloses an e-billing system with a database to store customer invoice information, a server communicating with the database to retrieve invoice information and to display invoice amount on a web browser; and a client communicating with the server, initiating payment and the server where determination is made as to whether the invoice amount is a zero or credit balance, and the payment is

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terminated and a disallow message sent based on the determining step. Dependent claims 16-21 are allowable as they follow from the allowable independent claim 15.

Independent claim 22 discloses a server apparatus for on-line billing with means for retrieving customer invoice information, displaying invoice information on a web browser, receiving an input to initiate payment, determining whether the invoice amount is a zero or credit balance, terminating payment and generating a disallow message sent based on the determining step. Dependent claims 23-28

Independent claim 29 discloses a computer-readable medium carrying one or more sequences of one or more instructions for providing an on-line billing system to retrieve customer invoice information, display invoice amount on a web browser, receive an input to initiate payment, determine whether the invoice amount is a zero or credit balance, and selectively terminating the payment and generating a disallow payment message based upon the determining step. Dependent claims 30-35 are allowable as they follow from the allowable independent claim 29.

Independent claim 36 discloses a payment disallow mechanism for an e-billing system including a computer system accessible for on-line interactive communication of invoices to users, comprising a database for storing customer invoice information where the invoice information is displayed to the customer for on-line interaction, a mechanism for initiating electronic payment of a modified total invoice amount, a mechanism for determining whether the total invoice amount is a zero or credit balance prior to executing the electronic payment, the mechanism terminating the payment mechanism and generating a disallow payment message for display to the customer.

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The primary difference between the claimed invention and the prior art is the termination of a payment and generating a disallow message if the invoice amount is found to be a zero or credit balance.

While the prior art discloses a method of electronically presenting bill information for a customer invoice and receiving bill instruction inputs (Kitchen et al., U.S. Patent No. 6,289,322 B1), the prior art does not disclose the termination of a payment and generating a disallow message if the invoice amount is found to be a zero or credit balance.

Further prior art discloses electronically presenting bill information for a customer invoice and receiving bill instruction inputs wherein the user is allowed to only enter an amount within a minimum or the full invoice amount (McNair, Pub. No. US 2001/0037297 A1). While the prior art will not accept a payment input for an amount greater than the amount owed on the invoice, the prior art does not disclose determining if an invoice amount is a zero or credit balance and terminating of a payment and generating a disallow message if the invoice amount is found to be a zero or credit balance.

Additionally, prior art discloses the use of HTML for web pages and XML for the data therein, such as in an invoice. However, while the prior art discloses XML format for electronic presentment of invoices, it does not disclose the termination of a payment and generating a disallow message if the invoice amount is found to be a zero or credit balance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at 571-272-6777. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jennifer Liversedge

Examiner


RICHARD E. CHILCOT, JR.
SUPERVISORY PATENT EXAMINER
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